

REMARKS

Claim rejections – 35 USC § 102.

Claims 1-5-11, 13-16, 18-20 and 24-35 stand rejected under 35 USC § 102 as being anticipated by Blank (2003/0150919).

The Applicant respectfully traverses this objection for the following reasons.

Throughout Blank's disclosure, a transaction card 10 is attached to an auxiliary portion by a line of weakness 2 so the card can be separated from the auxiliary portion by hand. See for example the following parts of Blank:

Paragraph [0004]... “That is, the transaction card and attached advertising section are produced from a single piece of plastic or paper material with a perforation or other line of weakness positioned between the transaction card and the advertising section. The transaction card may be removed from the advertising section by bending or tearing along the perforation or line of weakness.”

Paragraph [0005]... “The transaction card portion may be separated from the auxiliary portion by a line of weakness so that the transaction card portion is separable from the auxiliary portion by hand and without the use of tools.”

There are also corresponding statements in Blank's Paragraphs [0006], [0011], [0006], [0011], [0013], [0017], [0020], [0021], [0033], [0034], [0036], [0041], and claims 1, 6, 10, 12, 13, 16 and 20.

The whole purpose of Blank is to provide a transaction card removably assembled with an auxiliary portion (typically bearing advertising material) so the transaction card is separable

from the auxiliary portion by providing a line of weakness. The removed transaction card can then be used for performing a transaction using, say, a magnetic strip reader.

The instant invention as claimed in claim 1 covers a smart document comprising a pliable thin portion carrying on its front and/or rear face imprinted visible data, and a thick portion wherein a magnetic strip and/or storage chip is merged, the magnetic strip and/or storage chip storing encoded data that is readable by means of a reader. As specified in claim 1, the thin and thick portions are attached to form a functional unit where the versatility of the thick portion (typically a Smart card) is combined with the functionality of the attached thin portion (thin document), as follows.

The thick portion, i.e. the portion that includes the magnetic strip and/or storage chip, is a planar thick card portion attached to an edge of the thin portion in a manner allowing inclination of the thick card portion relative to the thin portion. For this, the thick card portion is divided into first and second parts on either side of the attachment to the edge of the thin portion. The thick card portion is inclinable between:

- a flat position, in which the first part of the thick card portion overlays an adjacent section of the thin portion, and in which the second part of the thick card portion protrudes beyond the attached edge of the thin portion, and
- inclined positions in which the thick card portion is at a variable angle to the pliable thin portion, and in which the first and second parts of the thick card portion protrude in opposite directions from the attached edge of the thin portion at a variable angle to the adjacent section of the thin portion.

As further specified in amended claim 1, the thick card portion and the pliable thin portion remain connected by said attachment edge during and after inclination of the thick card portion relative to the pliable thin portion, allowing the thick card portion and the pliable thin portion to remain as a unitary smart document with a selectively inclinable thick card portion having accessible first and second parts.

The Examiner has correctly pointed out that Blank's Fig. 3 shows two portions divided by the attachment line 2. These portions can be separated along the line 2. One way of doing this would be to bend the portions along the line of weakness, until they break apart. Here, the purpose of bending is to achieve separation. Also, in this main embodiment of Blank, the two parts are connected along the separation line 2 edge-to-edge, not as specified in Applicant's claim 1. Therefore, the inner edge of Blank's card, along the line 2, remains inaccessible as long as the detachable portions remain attached.

Blank also describes an alternative embodiment in paragraph [0036] where the portions are connected differently.

Blank's alternative embodiment provides for an overlapping transaction card and auxiliary portion of different materials, joined together in their region of overlap with the overlapping parts glued together with an adhesive that allows separation. There is no disclosure of a "permanent" joint providing for a "permanent" inclinable connection of the two parts relative to one another, leaving the two parts of the card on opposite sides of the connection accessible, as recited above and as specified in Applicant's claim 1, and that allows the two parts to be selectively inclined to one another and to remain as a unit with two parts of the card on opposite sides of the connection accessible.

In Blank's embodiments, the second side of the card, along the connection line 2, becomes accessible only after detachment of the card from its auxiliary portion. In the claimed invention, the two parts of the card on either side of the connection line remain accessible all of the time while the two parts form a unitary smart document with an inclinable card.

Claim 1 must thus be held to be novel over the Blank disclosure.

Regarding claim 2, as pointed out by the Examiner Blank describes various sizes and shapes; however none corresponds to the configuration defined in Applicant's claim 2 where the long edge of the thick card is connected to a narrow edge of the paper portion. In Blank's drawings the two parts are connected by their long edges.

As pointed out by the Examiner features corresponding to those of claims 3, 4 and 5 could be derived from Blank; however these features are claimed in combination with the novel subject matter of claim 1.

Regarding claims 6-8, Blank's combination does not have anything that corresponds to the first and second parts of the inclinable card defined in claim 1, and therefore does not disclose an extension or tab on such first and second part.

As pointed out by the Examiner, the materials of claims 9-10 could be derived from Blank; however these features are claimed in combination with the novel subject matter of claim 1.

The Applicant agrees with the Examiner's assessment of claim 11 which however derives novelty from claim 1.

There is no disclosure in Blank of a remote perforated section of the thin portion, as specified in claim 12.

With regard to claims 13 and 14, it is correct that Blank discloses attachment by welding, an adhesive, a mechanical fastener or a coupling device; however as discussed above, in Blank these different means of securing are always associated with the requirement for easy removal that is necessary to have access to the card's connected edge. In particular, Blank's securing means may allow the two parts to be bent relative to one another so that each curve about the connection. But Blank is silent about a connection allowing relative inclination of the two portions as defined in claim 1. Hence the features of claims 13 and 14 are novel in connection with claim 1.

The Applicant agrees that both the invention and Blank make use of standard credit card formats; however each is used in its respective context. Thus claim 15 is novel in connection with claim 1. The same applies to claim 16's magnetic strip also claims 19 and 20. Blank however does not disclose a smart card with a storage chip as required by claim 17.

Regarding claims 18, 29 and 30 the Applicant agrees with the Examiner's assessment that Blank's card, like prior art magnetic cards, can be passed through a reader. Claim 1 now further specifies the notion of accessibility in these claims. In Blank's card, the magnetic strip can be accessed freely only when the card is removed from its auxiliary portion. When the card remains attached, however, accessibility to the magnetic strip is contingent on this being placed near the card's free edge. The inventive combined smart document allows for greater use possibilities without having to detach the card. Thus, a magnetic strip and/or a storage chip can be placed on one side, and the card can be accessed and manipulated from the opposite side, etc. This improved access and the new multiple possibilities for use are nowhere described by Blank. Blank's teaching requires detachment of the card for it to be free for unconstrained insertion in reader devices.

Claims 19 and 20, and the other claims discussed in the Office action, 24, 26, 27, 31, 33, 34 and 35, as well as 25 and 32, and claim 28, all derive novelty from claim 1.

Therefore, in summary, the Applicant submits that all claims are novel over Blank for the reasons given above, and requests that this ground of rejection be removed.

Claim Rejections – 35 USC § 103

Before dealing with the obviousness objections, the Applicant wishes to set out the reasons why in his opinion claim 1 should be regarded as non-obvious over Blank.

Blank provides a combined card and auxiliary portion where the card must be removed from the auxiliary portion for the card to be freely accessible from all its sides so it can be used in the normal way in conjunction with a card reader device.

The instant application provides a combined smart document where a thick card portion is permanently attached to a thin flexible portion to form unitary smart document with a selectively inclinable thick card portion having first and second parts on either side of an attachment edge, these first and second parts of the card portion remaining accessible to facilitate handling of the combined smart document.

Blank contains no suggestion of such combined smart document where two parts of the card remain accessible on either side of a connection line. To the contrary, the skilled person is taught by Blank to connect the card to the auxiliary portion along a connection line that requires separation of the two parts to have access to the card's connected edge. This is contrary to the teaching of the instant invention, which requires the two parts of the card on either side of a "permanent" attachment

edge to remain always accessible to the user for good manipulation of the combined smart document which does not have to be – and is not – separated into its two parts to have good access to the card. Indeed, the skilled person finds no guidance in Blank towards such a combined smart document as claimed.

The Applicant therefore submits that the claimed invention could not have been derived in an obvious way by a person having ordinary skill in the art, starting from Blank.

Claim 12 has been rejected under 35 USC 103(a) as being unpatentable in view of Blank over Ovadia. Ovadia's Figure 2 shows a brochure including a perforated section. Claim 12 however requires a perforated section on an edge of the thin pliable portion remote from the edge to which the card is attached, as defined in claim 1.

The combination of Blank and Ovedia however does not lead to the structure defined in claim 1 as discussed above.

Claim 17 has been rejected under 35 USC 103(a) as being unpatentable in view of Blank over Lasch. Lasch's Figure 1 shows a storage chip 20 included on a transaction card. Claim 17 however requires a storage chip on a card of a combined smart document, as defined in claim 1.

The combination of Blank and Lasch however cannot lead to the structure defined in claim 1 as discussed above, because Lasch simply contains details of the card with storage chip, not how such card can be incorporated in a combined smart document as defined in claim 1 and as discussed above.

Claims 21-23 have been rejected under 35 USC 103(a) as being unpatentable over Blank. As set out above, in connection with an embodiment where the combined smart document has one card, the subject matter of claim 1 cannot be reached in an obvious way over Blank. The same reasoning

applies also to an embodiment with several cards, e.g. one at each end of the thin portion, since the arrangement at either end is unobvious over Blank.

Hence the Applicant submits that the secondary references also do not lead to the claimed subject matter in any obvious way.

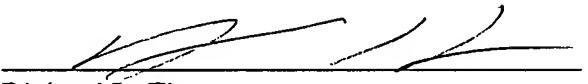
In view of the above, it is believed that all claims are now in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,

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